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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,758	03/22/2004	Domicnic Ricciardi	ATT-145PUS	1244
26652	7590	10/09/2007		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER HASHEM, LISA	
			ART UNIT	PAPER NUMBER
			2614	
			MAIL DATE	DELIVERY MODE
			10/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/805,758

Applicant(s)

RICCIARDI ET AL.

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6404746 by Cave et al, hereinafter Cave.

Regarding claim 1, Cave discloses a method of forming a multi-media communication path between at least a first communication device, a second communication device, and a third communication device (co. 7, lines 5-20) all of which are coupled to a multi-media provider system (Fig. 2), the method

comprising:

receiving a first call request at a circuit-based portion of a multi-media provider system;

processing the call request at the circuit-based portion of the multi-media provider

system for forming a first communication link between the first and second

communication devices (col. 12, line 37 – col. 13, line 23);

sending predetermined attributes of the first communication link to an IP-based

portion of the multi-media provider system for configuring the IP-based portion of the

multi-media provider system to provide at least one of a plurality of predetermined multi-

media services; and

monitoring the first communication link for a predetermined request for at least one of the plurality of multi-media services (col. 13, line 54 – col. 14, line 48).

Regarding claim 2, the method of claim 1, wherein Cave discloses after sending predetermined attributes of the first communication link to the IP-based portion of the multi-media provider system, the method further includes forming a first Real-Time Transport Protocol stream between the first communication device and an application server located on the IP-based portion of the multi-media provider system (col. 15, line 21 – col. 16, line 17).

Regarding claim 3, the method of claim 2, Cave discloses further including forming a second Real-Time Transport Protocol stream between the second communication device and the application server located on the IP-based portion of the multi-media provider system (col. 15, line 21 – col. 16, line 17).

Regarding claim 4, the method of claim 1, wherein Cave discloses monitoring the first communication link for the predetermined request includes monitoring the first communication link for a post-answer call redirect request as directed by an Application Server (col. 15, lines 37-61).

Regarding claim 5, the method of claim 4, wherein Cave discloses configuring the IP-based portion of the multi-media provider system to provide at least one of the plurality of predetermined multi-media services includes: configuring the IP-based portion of the multi-media provider system to provide post-answer call redirecting services (col. 15, lines 37-61).

Regarding claim 6, the method of claim 5, wherein Cave discloses after detecting the post-answer call redirect request, the method further includes forming a third Real-Time

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Transport Protocol stream between the third communication device and the application server located on the IP-based portion of the multi-media provider system (col. 15, lines 37-61; col. 19, lines 7-33).

Regarding claim 7, the method of claim 6, wherein Cave further including moving the first, second and third Real-Time Transport Protocol streams to a media server located on the IP-based portion of the multi-media provider system for enabling the media server to operate as a mediator for the first, second and third Real-Time Transport Protocol streams (col. 15, lines 37-61).

Regarding claim 8, the method of claim 7, wherein Cave further including the Application Server instructing the media server to mix the first, second and third Real-Time Transport Protocol streams for providing the multi-media communication path between at least the first communication device, the second communication device and the third communication device (col. 15, line 37 – col. 16, line 35).

Regarding claim 9, the method of claim 8, wherein Cave after controlling the media server to mix the first, second and third Real-Time Transport Protocol streams, the method further includes disabling the monitoring of the first communication link for the post-answer call redirect request (col. 15, lines 37-61; col. 19, lines 7-33).

Regarding claim 10, the method of claim 9, wherein Cave further including controlling the media server to monitor the multi-media communication path for at least one of a plurality of conferencing instructions (col. 21, lines 4-16).

Regarding claim 11, the method of claim 9, wherein Cave further including controlling the media server to monitor the multi-media communication path for at least one of a plurality of transfer instructions (col. 13, line 54 – col. 14, line 32).

Regarding claim 12, the method of claim 9, wherein Cave further including controlling the media server to monitor the multi-media communication path for at least one of a plurality of courtesy transfer instructions (col. 13, line 54 – col. 14, line 32).

Regarding claim 13, the method of claim 9, Cave further including controlling the media server to monitor the multi-media communication path for at least one of a plurality of consult and transfer instructions (col. 13, line 54 – col. 14, line 32).

Regarding claim 14, the method of claim 9, Cave further including controlling the media server to monitor the multi-media communication path for at least one of a plurality of conference and transfer instructions (col. 21, lines 4-16).

Regarding claim 15, Cave discloses a method for providing Post Answer Call Redirection (PACR) to provide capacity relief to existing telecommunications network and to predetermined network elements, the method comprising:

- a. receiving at a Border Element (BE) a telephone call from a calling party (col. 13, line 54 – col. 14, line 32)
- b. transmitting a message from the Border Element to a Call Control Element (CCE) to a Service Broker (SB) to an Application Server (AS) to a Media Server (MS), wherein a first query message is received by the AS without having been routed through a circuit-based portion of the communications network and including a circuit switch, a circuit service control point

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(SCP), and a circuit adjunct (col. 15, line 21 – col. 16, line 17);

c. receiving at a Border Element instructions for PACR from the AS;

d. providing PACR, via a combination of the AS, MS, BE, and CCE without accessing the circuit switch, circuit SCP, or circuit adjunct; and

e. after receiving PACR, routing the telephone call without accessing the circuit switch, the circuit SCP and the circuit adjunct (col. 19, line 13 – col. 20, line 56).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892 Form.

4. Any response to this action should be mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(571) 273-8300 (for formal communications intended for entry)

**Or call:**

(571) 272-2600 (for customer service assistance)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

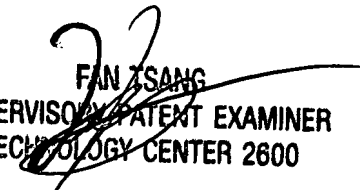
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or

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relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lh  
October 1, 2007

  
FAN TSANG  
SUPERVISOR/PATENT EXAMINER  
TECHNOLOGY CENTER 2600